

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHSHORE SHEET METAL, INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION,
LOCAL 66,

Defendant.

Case No. C15-1349 BJR

***DECLARATION OF
CHRISTOPHER L. HILGENFELD IN
SUPPORT OF PLAINTIFF'S MOTION
FOR LEAVE TO FILE OVERLENGTH
BRIEF IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS***

**Noted on Motions Calendar:
October 6, 2017**

I, CHRISTOPHER L. HILGENFELD, declare as follows:

1. I am over the age of eighteen (18) years and I am competent to testify if called upon to do so.

2. I am an attorney with Davis Grimm Payne & Marra, counsel of record for Plaintiff Northshore Sheet Metal, Inc. ("Northshore" or "Plaintiff"), and I make this declaration based upon my personal knowledge.

3. On June 23, 2017, the parties held a Rule 26(f) conference. The conference involved Paul More and myself. Mr. More informed me that Defendant intended to file a

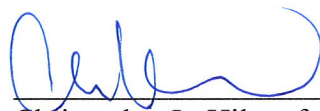
1 motion to dismiss as it related to the First Amended Complaint. I informed Mr. More that
2 Plaintiff intended to amend its complaint, filing a Second Amended Complaint. The Second
3 Amended Complaint was initially provided to Defendant for review on August 3, 2017, and
4 later filed with the Court. At no time between August 3, 2017 and the filing of Defendant's
5 Motion to Dismiss was I informed that the amended complaint was deficient in any manner.

6 4. Defendant did not meet and confer with Plaintiff regarding its instant
7 Rule 12(b) Motion to Dismiss Plaintiff's claims.

8 5. On October 6, 2017, I spoke with Paul More regarding Defendant's failure to
9 adhere to the Court's Standing Order, informing Mr. More that Plaintiff intended to file a
10 motion to strike and alternatively; a motion for leave to file an overlength brief. According
11 to Mr. More, Defendant followed the local court rules, and was not aware of the Standing
12 Order. Mr. More further stated that he would not object to Plaintiff's request for an
13 overlength brief.
14

15 I declare under penalty of perjury under the laws of the State of Washington and
16 the United States that the foregoing statements are true and accurate.

17 Signed and dated at Seattle, Washington on this 6th day of October, 2017.

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20 Christopher L. Hilgenfeld
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